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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/768,432	01/30/2004	Frank A. Hunleth	0320-001	8731 .	
42015	7590 03/16/2009		EXAM	EXAMINER	
	PATENT GROUP PLLC				
P. O. BOX 2	70 SSBURG, VA 22404		ART UNIT	PAPER NUMBER	

DATE MAILED: 03/16/2009

Please find below and/or attached an Office communication concerning this application or proceeding.

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Notification of Non-Compliant Appeal Brief		Application No.	Applicant(s)			
		10/768,432	HUNLETH ET AL.			
	(37 CFR 41.37)	Examiner	Art Unit			
		Henry Orr	2176			
	The MAILING DATE of this communication app	pears on the cover sheet with the o	correspondence a	nddress		
The A <sub>1</sub> 41.37.	ppeal Brief filed on <u>10 February 2009</u> is defective	e for failure to comply with one or	more provisions	of 37 CFR		
1205.0	oid dismissal of the appeal, applicant must file and 03) within ONE MONTH or THIRTY DAYS from the NSIONS OF THIS TIME PERIOD MAY BE GRAI	he mailing date of this Notification	ate correction (se n, whichever is lo	e MPEP onger.		
1.	The brief does not contain the items required unheading or in the proper order.	nder 37 CFR 41.37(c), or the iter	ms are not under	the proper		
2.	The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).					
3.	At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).					
4.	(a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).					
5. 🗌	The brief does not contain a concise statement 41.37(c)(1)(vi))	of each ground of rejection prese	ented for review	(37 CFR		
6. 🗵	The brief does not present an argument under a 41.37(c)(1)(vii)).	separate heading for each ground	d of rejection on a	appeal (37 CFR		
7.	The brief does not contain a correct copy of the 41.37(c)(1)(viii)).	appealed claims as an appendix	thereto (37 CFF	₹		
8. 🔲	The brief does not contain copies of the evidence	ce submitted under 37 CFR 1.130	D, 1.131, or 1.132	2 or of any		

ARGUMENT Section VII: the Argument Section 1 should have a separate headings matching or corresponding to the rejection in the Grounds of Rejection for which argument is being given. Each claim argued separately or claims argued as a group should be placed under a subheading identifying the claim or claims by number. Appellants have not provided the necessary headings and or subheadings for arguments which correspond to each ground of rejection. Note: A new

identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR

other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix

9. 

The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding

Appeal Brief is not required, only the defective section.

10. Other (including any explanation in support of the above items):

thereto (37 CFR 41.37(c)(1)(ix)).

41.37(c)(1)(x).

/Everett R. Williams / Everett R. Williams Patent Appeals Center 571-272-3619